

HB3373



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3373

by Rep. Patricia R. Bellock

SYNOPSIS AS INTRODUCED:

725 ILCS 5/121-14 new
725 ILCS 5/122-9 new

Amends the Code of Criminal Procedure of 1963. On a convicted defendant's death, requires the court to dismiss any pending appeal or post-conviction petition of the defendant. Provides a convicted defendant's death may not abate the defendant's criminal conviction or sentence of imprisonment or any restitution, fine, assessment, or other sentence imposed by the sentencing court. Effective immediately.

LRB099 07872 MRW 28011 b

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Code of Criminal Procedure of 1963 is
5 amended by adding Sections 121-14 and 122-9 as follows:

6 (725 ILCS 5/121-14 new)

7 Sec. 121-14. Appeal; defendant's death.

8 (a) On a convicted defendant's death, the court shall
9 dismiss any pending appeal of the defendant.

10 (b) A convicted defendant's death may not abate the
11 defendant's criminal conviction or sentence of imprisonment or
12 any restitution, fine, assessment, or other sentence imposed by
13 the sentencing court.

14 (725 ILCS 5/122-9 new)

15 Sec. 122-9. Post-conviction; defendant's death.

16 (a) On a convicted defendant's death, the court shall
17 dismiss any pending post-conviction petition of the defendant.

18 (b) A convicted defendant's death may not abate the
19 defendant's criminal conviction or sentence of imprisonment or
20 any restitution, fine, assessment, or other sentence imposed by
21 the sentencing court.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.